

**MINUTES OF A REGULAR MEETING OF THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
NOVEMBER 22, 2016**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Tuesday, November 22, 2016, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

Call to Order. Presiding Officer Mayor Terry Seitz called the meeting to order at 7:00 p.m.

Roll Call.

Clerk-Treasurer Juanita S. Boehm called the roll.

Mayor Terry Seitz	Present
Council members:	
Gregory Schnarr	Present
John Bell	Present
David Hurst	Present
Earl Schmitt	Present
Kevin Manley	Present
Nancy Eckerle	Present
Dean Vonderheide	Present
City Attorney Renee Kabrick	Present
Clerk-Treasurer Juanita S. Boehm	Present

Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. All seven council members were in attendance which is a majority; therefore, there was a quorum for the meeting.

Pledge of Allegiance. Mayor Seitz invited all those present to join him in reciting the Pledge of Allegiance.

Forest Park students. Mayor Seitz welcomed two Forest Park high school students who were in attendance.

Approval of the Minutes.

The following minutes were distributed to and examined by the Council:
October 19, 2016 regular common council meeting

A motion was made by Council member Gregory Schnarr and seconded by Council member John Bell to approve the minutes as presented. Motion carried 7-0.

PUBLIC HEARING ADDITIONAL APPROPRIATIONS

Mayor Seitz opened the public hearing concerning proposed additional appropriations for the year 2016.

A notice appeared in the Herald on November 12, 2016, and was posted at city hall.

Clerk-Treasurer Juanita S. Boehm said that when the council made a \$410,000 local economic development incentive commitment for the Vine Street Lofts project, part of the funds was from tax abatement and part from the EDIT Fund.

\$173,662 property tax abatement

\$135,000 2017 Edit Fund appropriation

\$101,338 in proposed Ordinance 2016-26

\$410,000

Mayor Seitz asked for comments from the public. No comments were received.

Thereafter, a motion was made by Council member Earl Schmitt and seconded by Council member Nancy Eckerle to close the public hearing. Motion carried 7-0.

**ORDINANCE NO. 2016-26 AN ORDINANCE APPROPRIATING
ADDITIONAL MONEY FOR THE CITY OF JASPER, INDIANA, FOR
THE REMAINDER OF THE FISCAL YEAR ENDING DECEMBER 31,
2016**

This ordinance appropriates money from the EDIT Fund for part of the Vine Street Lofts economic development incentive commitment.

A motion was made by Council member Gregory Schnarr and seconded by Council member John Bell to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Earl Schmitt and seconded by Council member Nancy Eckerle to read the ordinance by title only. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member Dean Vonderheide to pass and adopt Ordinance No. 2016-26. Motion carried 7-0.

**ORDINANCE NO. 2016-27 AN ORDINANCE TO TRANSFER
APPROPRIATIONS FOR THE CITY OF JASPER, INDIANA, FOR THE
REMAINDER OF THE FISCAL YEAR ENDING DECEMBER 31, 2016**

This ordinance transfers appropriations within a department for the year 2016.

A motion was made by Council member Gregory Schnarr and seconded by Council member Earl Schmitt to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Nancy Eckerle and seconded by Council member Earl Schmitt to read the ordinance by title only. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member Dean Vonderheide and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2016-27. Motion carried 7-0.

UTILITY SERVICE BOARD REPORT

General Manager of Utilities Gerald ‘Bud’ Hauersperger gave a report on the regular monthly Utility Service Board meeting held on November 21, 2016. A copy of the Utility Service Board minutes is supplied to each council member.

GAS CONTRACTOR LICENSE

The council members considered the gas contractor’s license application submitted by Brian Blackgrove with Huntingburg Machine Works.

A motion was made by Council member Nancy Eckerle and seconded by Council member Earl Schmitt to issue a gas contractor’s license to Brian Blackgrove with Huntingburg Machine Works. Motion carried 7-0.

BOARD MEMBER APPOINTMENTS BY THE COUNCIL FOR 2017

Council member Kevin Manley said the council needs to make several board member appointments beginning in 2017. The following people agreed to serve on the following boards beginning in 2017:

John Bell	Dubois Co. Solid Waste	1 year
John Bell	Redevelopment Commission	1 year
John Schroeder	Redevelopment Commission	1 year
Adam Auffart	Utility Service Board	4 years

A motion was made by Council member Kevin Manley and seconded by Council member John Bell to approve the above listed appointments for 2017. Motion carried 7-0.

RESOLUTION NO. 2016-9 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA, TERMINATING DEDUCTIONS PURSUANT § 6-1.1-12.1-4.5

Voluntary withdrawal of Stens, LLC and Haddad Properties Ltd Partners from the property tax abatement program.

City Attorney Renee Kabrick said during the September 2016 Council meeting, a representative from Stens appeared to seek permission to withdraw from the tax abatement program. Stens was advised that the withdrawal would need to be joined by the property owner, Haddad Properties. The City received confirmation from Haddad Properties that they, too, desire to withdraw from the tax abatement program. Kabrick also said they waived their right to a hearing on this matter.

A motion was made by Council member Gregory Schnarr and seconded by Council member Nancy Eckerle to consider the resolution for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Dean Vonderheide and seconded by Council member Earl Schmitt to read the resolution by title only. Motion carried 7-0. The city attorney so read the resolution. Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member John Bell to pass and adopt Resolution No. 2016-9. Motion carried 7-0.

RESOLUTION NO. 2016-10 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA, APPROVING THE ISSUANCE OF ONE OR MORE SERIES OF BONDS TO BE ISSUED BY OR ON BEHALF OF JASPER PUBLIC LIBRARY

This resolution approves the issuance of bonds to be issued by the Jasper Public Library for a library building.

A motion was made by Council member Earl Schmitt and seconded by Council member Nancy Eckerle to consider the resolution for one reading only. Motion carried 6-0 and 1 abstention by Council member Dean Vonderheide. Thereafter, a motion was made by Council member David Hurst and seconded by Council member Earl Schmitt to read the resolution by title only. Motion carried 6-0 and 1 abstention by Council member Dean Vonderheide. The city attorney so read the resolution. Thereafter, a motion was made by Council member Nancy Eckerle and seconded by Council member John Bell to pass and adopt Resolution No. 2016-10. Motion carried 6-0 and 1 abstention by Council member Dean Vonderheide. Vonderheide said he was abstaining from voting on this matter because he is a member of the library board.

Under discussion, Bill Shaneyfelt, the attorney representing the Jasper Public Library, said the resolution is self-explanatory. Because the library board is an appointed board, it needs approval from a fiscal body before it can issue bonds. Shaneyfelt said by approving this resolution, the City in no way becomes obligated to repay the bonds of the Library nor do such bonds count against the City's constitutional debt limit.

ORDINANCE NO. 2016-28 AN ORDINANCE AMENDING ORDINANCE NO. 2002-54 ENTITLED “AN ORDINANCE ESTABLISHING FEES FOR ACTIVITIES OF THE JASPER DEPARTMENT OF PARKS AND RECREATION”

This ordinance amends some golf course fees effective December 1, 2016.

A motion was made by Council member Dean Vonderheide and seconded by Council member Gregory Schnarr to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member David Hurst and seconded by Council member Earl Schmitt to read the ordinance by title only. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member David Hurst and seconded by Council member John Bell to pass and adopt Ordinance No. 2016-28. Motion carried 7-0.

ORDINANCE NO. 2016-29 AN ORDINANCE AMENDING ORDINANCE NO. 2002-52 ENTITLED “AN ORDINANCE ESTABLISHING FEES FOR MEMBERSHIPS AT THE JASPER DEPARTMENT OF PARKS AND RECREATION GOLF COURSES”

This ordinance amends the golf course membership fees effective December 1, 2016.

A motion was made by Council member Earl Schmitt and seconded by Council member John Bell to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Nancy Eckerle and seconded by Council member Earl Schmitt to read the ordinance by title only. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member John Bell and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2016-29. Motion carried 7-0.

**UNIFIED DEVELOPMENT ORDINANCE/
ORDINANCE NO. 2016-30 AN ORDINANCE ESTABLISHING
A UNIFIED DEVELOPMENT ORDINANCE FOR THE CITY OF
JASPER, INDIANA AND ITS JURISDICTIONAL AREA AND
PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND
AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS
OF STATE LAW AND FOR THE REPEAL OF ORDINANCE NO. 1993-17,
ALL AMENDMENTS THERETO AND ALL ORDINANCES AND
SECTIONS OF THE MUNICIPAL CODE OF JASPER, INDIANA, IN
CONFLICT THEREWITH OR ANY SECTION THEREOF**

Mayor Seitz said the council needs to consider the unified development ordinance [UDO]. The options are to: [1]accept, [2]reject, [3]amend, or [4]not act on the ordinance. If adopted, the ordinance will be referenced Ordinance No. 2016-30

A Notice of Intent to Consider Ordinance was sent to the news media and was posted at city hall.

City Attorney Renee Kabrick said the City is repealing the existing subdivision control ordinance and zoning map and replacing it with the proposed unified development ordinance. The council currently has the recommended text and zoning map and has one of the four options listed above to consider. The council has the opportunity to approve the UDO text and send back to the plan commission to approve the original zone map.

Council member John Bell suggested sending the map back to the plan commission thereby certain property owners would have to make rezoning requests thus giving the adjoining property owners time to be heard.

After some discussion, the council wanted to approve the UDO language and amend the map from the recommended map to the map that was originally proposed thus sending it back to the plan commission for consideration.

Before approving the ordinance, Council member John Bell said he would like a presentation or a summary of the changes. The ordinance is over 200 pages and he wants to better understand what is being changed.

Director of Community Development and Planning Darla Blazey responded by saying she felt she has communicated the changes along the way. She would be happy to explain the changes to anyone but the City needs to move forward with the UDO. She said there is no way one can take the current ordinance and show the changes because the UDO is a complete re-write. Blazey said she will provide Bell with the power point presentation that was developed by the consultant.

Council member Nancy Eckerle commented that the City needs to put the ordinance into action to see what does and does not work.

Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member John Bell to amend exhibit A and adopt the ordinance and amend the map from the plan commission recommended map to the first proposed map. Motion carried 7-0.

Kabrick said the amendment will now go to the plan commission for final approval. If approved, the ordinance will take effect January 1, 2017.

**ORDINANCE NO. 2016 – 31 AN ORDINANCE ESTABLISHING
REVISED FLOOD HAZARD AREA REGULATIONS FOR THE CITY OF
JASPER, INDIANA AND ITS PLANNING JURISDICTION AND
PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND
AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS
OF INDIANA CODE 36-7-4**

This ordinance re-establishes the language regarding Flood District(s) and Flood Damage Prevention contained within Title 16 in its entirety.

A motion was made by Council member Dean Vonderheide and seconded by Council member John Bell to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Earl Schmitt and seconded by Council member David Hurst to read the ordinance by title only. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member Nancy Eckerle and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2016-31 contingent upon the recommended action to the Plan Commission is adopted by the Plan Commission. Motion carried 7-0.

**ORDINANCE NO. 2016-32 AN ORDINANCE RE-ESTABLISHING
LIMITATIONS ON SIGNS WITHIN THE CITY OF JASPER, INDIANA
AND ITS JURISDICTIONAL AREA**

This ordinance re-establishes the language regarding Sign Limitations contained within Title 16 in its entirety.

A motion was made by Council member John Bell and seconded by Council member Dean Vonderheide to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member Earl Schmitt to read the ordinance by title only. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member Earl Schmitt and seconded by Council member Nancy Eckerle to pass and adopt Ordinance No. 2016-32 contingent upon the recommended action to the Plan Commission is adopted by the Plan Commission. Motion carried 7-0.

JCAC. Jasper Community Arts Commission member Michael Jones attended the meeting on behalf of the Board.

RIVER CENTRE PUD

Bill Kaiser, representing Boxer Girl LLC now River Centre LLC, said he has a request for approval for a planned unit development [PUD] district for the River Centre. He said he is only presenting information tonight. The council will consider the ordinance at a special meeting scheduled for December 9, 2016. City Attorney Renee Kabrick said this matter will be treated as a rezone. The area needs to be rezoned into a PUD in order for this development to happen. Kaiser then showed his presentation on the River Centre development at the former Jasper Cabinet site.

Adjournment. There being no further business to come before the board, a motion was made by Council member Kevin Manley and seconded by Council member David Hurst to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 9:12 p.m.

The minutes were hereby approved ____ with X without corrections or clarification this 21st day of December, 2016.

Mayor Terry Seitz
Presiding Officer

Attest: _____
Juanita S. Boehm, Clerk-Treasurer